

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

AETNA LIFE INSURANCE COMPANY :  
Plaintiff :  
:  
:  
:  
vs. : CASE NO. 19-CV-6259-JPO  
:  
:  
**ORDER**  
PHYLLIS FRANK and :  
EMILY ROSEN :  
Defendants. :

AND NOW this 21st day of July, 2020, upon consideration of the Motion for Interpleader Relief filed by Plaintiff Aetna Life Insurance Company (“ALIC”), ALIC’s Memorandum of Law in support thereof, and any responses thereto, it is hereby ORDERED that said Motion is **GRANTED**. IT IS FURTHER ORDERED ADJUDGED AND DECREED that:

1. ALIC is discharged from further liability, of whatever nature, to each of the parties hereto and any other claimant to benefits arising under and pursuant to Policy No. GP-062399-GI (“the Policy”) to USB Financial Services, Inc. (“UBS”), which funded the life insurance portion of the UBS Financial Services, Inc. Plan, an employee welfare benefit plan governed by ERISA (the “Plan”), on account of the death of Erich Frank, an employee of UBS and participant in the Plan (“Decedent”).

2. ALIC and its employees, agents, officers, directors, fiduciaries, shareholders, attorneys, parent and affiliated corporations, predecessors and successors-in-interest, subsidiaries, and assigns is released and discharged from any and all liability, suits, debts, judgments, dues, sums, and/or causes of action whether in law or in equity, to any person,

entity, claimant, or party, to this action or otherwise, for any and all benefits arising under and pursuant to the Policy;

3. Defendants hereto are permanently restrained and enjoined from instituting and/or prosecuting any other suit, cause of action, or civil proceeding in any state, federal, or other court of competent jurisdiction, arbitral forum, or other adjudicative body, seeking benefits or asserting claims under the Policy on account of the death of Decedent.

4. ALIC is **DISMISSED FROM THIS ACTION WITH PREJUDICE** and without any further liability in connection with the Policy and the benefits due thereunder as a result of the death of Decedent.

**The Clerk is directed to close Dkt. No. 16.**

BY THE COURT

So ordered.  
July 21, 2020

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J. PAUL OETKEN  
United States District Judge